

§ 361.1

ADMINISTRATION

- 361.12 Methods of administration.
- 361.13 State agency for administration.
- 361.14 Substitute State agency.
- 361.15 Local administration.
- 361.16 Establishment of an independent commission or a State Rehabilitation Council.
- 361.17 Requirements for a State Rehabilitation Council.
- 361.18 Comprehensive system of personnel development.
- 361.19 Affirmative action for individuals with disabilities.
- 361.20 Public participation requirements.
- 361.21 Consultations regarding the administration of the State plan.
- 361.22 Coordination with education officials.
- 361.23 Requirements related to the statewide workforce investment system.
- 361.24 Cooperation and coordination with other entities.
- 361.25 Statewideness.
- 361.26 Waiver of statewideness.
- 361.27 Shared funding and administration of joint programs.
- 361.28 Third-party cooperative arrangements involving funds from other public agencies.
- 361.29 Statewide assessment; annual estimates; annual State goals and priorities; strategies; and progress reports.
- 361.30 Services to American Indians.
- 361.31 Cooperative agreements with private nonprofit organizations.
- 361.32 Use of profitmaking organizations for on-the-job training in connection with selected projects.
- 361.33 [Reserved.]
- 361.34 Supported employment State plan supplement.
- 361.35 Innovation and expansion activities.
- 361.36 Ability to serve all eligible individuals; order of selection for services.
- 361.37 Information and referral services.
- 361.38 Protection, use, and release of personal information.
- 361.39 State-imposed requirements.
- 361.40 Reports.

PROVISION AND SCOPE OF SERVICES

- 361.41 Processing referrals and applications.
- 361.42 Assessment for determining eligibility and priority for services.
- 361.43 Procedures for ineligibility determination.
- 361.44 Closure without eligibility determination.
- 361.45 Development of the individualized plan for employment.
- 361.46 Content of the individualized plan for employment.
- 361.47 Record of services.
- 361.48 Scope of vocational rehabilitation services for individuals with disabilities.

34 CFR Ch. III (7–1–13 Edition)

- 361.49 Scope of vocational rehabilitation services for groups of individuals with disabilities.
- 361.50 Written policies governing the provision of services for individuals with disabilities.
- 361.51 Standards for facilities and providers of services.
- 361.52 Informed choice.
- 361.53 Comparable services and benefits.
- 361.54 Participation of individuals in cost of services based on financial need.
- 361.55 Annual review of individuals in extended employment and other employment under special certificate provisions of the Fair Labor Standards Act.
- 361.56 Requirements for closing the record of services of an individual who has achieved an employment outcome.
- 361.57 Review of determinations made by designated State unit personnel.

Subpart C—Financing of State Vocational Rehabilitation Programs

- 361.60 Matching requirements.
- 361.61 Limitation on use of funds for construction expenditures.
- 361.62 Maintenance of effort requirements.
- 361.63 Program income.
- 361.64 Obligation of Federal funds and program income.
- 361.65 Allotment and payment of Federal funds for vocational rehabilitation services.

Subpart D [Reserved]

Subpart E—Evaluation Standards and Performance Indicators

- 361.80 Purpose.
- 361.81 Applicable definitions.
- 361.82 Evaluation standards.
- 361.84 Performance indicators.
- 361.86 Performance levels.
- 361.88 Reporting requirements.
- 361.89 Enforcement procedures.

APPENDIX A TO PART 361—QUESTIONS AND ANSWERS

AUTHORITY: 29 U.S.C. 709(c), unless otherwise noted.

SOURCE: 66 FR 4382, Jan. 17, 2001, unless otherwise noted.

Subpart A—General

§ 361.1 Purpose.

Under the State Vocational Rehabilitation Services Program (Program), the Secretary provides grants to assist

Off. of Spec. Educ. and Rehab. Services, Education

§ 361.5

States in operating statewide comprehensive, coordinated, effective, efficient, and accountable programs, each of which is—

(a) An integral part of a statewide workforce investment system; and

(b) Designed to assess, plan, develop, and provide vocational rehabilitation services for individuals with disabilities, consistent with their strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, so that they may prepare for and engage in gainful employment.

(Authority: Section 100(a)(2) of the Act; 29 U.S.C. 720(a)(2))

§ 361.2 Eligibility for a grant.

Any State that submits to the Secretary a State plan that meets the requirements of section 101(a) of the Act and this part is eligible for a grant under this Program.

(Authority: Section 101(a) of the Act; 29 U.S.C. 721(a))

§ 361.3 Authorized activities.

The Secretary makes payments to a State to assist in—

(a) The costs of providing vocational rehabilitation services under the State plan; and

(b) Administrative costs under the State plan.

(Authority: Section 111(a)(1) of the Act; 29 U.S.C. 731(a)(1))

§ 361.4 Applicable regulations.

The following regulations apply to this Program:

(a) The Education Department General Administrative Regulations (EDGAR) as follows:

(1) 34 CFR part 74 (Administration of Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-profit Organizations), with respect to subgrants to entities that are not State or local governments or Indian tribal organizations.

(2) 34 CFR part 76 (State-Administered Programs).

(3) 34 CFR part 77 (Definitions that Apply to Department Regulations).

(4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities).

(5) 34 CFR part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments), except for § 80.24(a)(2).

(6) 34 CFR part 81 (General Education Provisions Act—Enforcement).

(7) 34 CFR part 82 (New Restrictions on Lobbying).

(8) 34 CFR part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

(9) 34 CFR part 86 (Drug and Alcohol Abuse Prevention).

(b) The regulations in this part 361.

(c) 20 CFR part 662 (Description of One-Stop Service Delivery System under Title I of the Workforce Investment Act of 1998).

(d) 29 CFR part 37, to the extent programs and activities are being conducted as part of the One-Stop service delivery system under section 121(b) of the Workforce Investment Act of 1998.

(Authority: Section 12(c) of the Act; 29 U.S.C. 709(c))

§ 361.5 Applicable definitions.

(a) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR 77.1:

Department
EDGAR
Fiscal year
Nonprofit
Private
Public
Secretary

(b) *Other definitions.* The following definitions also apply to this part:

(1) *Act* means the Rehabilitation Act of 1973, as amended (29 U.S.C. 701 *et seq.*).

(2) *Administrative costs under the State plan* means expenditures incurred in the performance of administrative functions under the vocational rehabilitation program carried out under this part, including expenses related to program planning, development, monitoring, and evaluation, including, but not limited to, expenses for—

(i) Quality assurance;

(ii) Budgeting, accounting, financial management, information systems, and related data processing;